

225932

LAW OFFICES  
FRITZ R. KAHN, P.C.  
1920 N STREET, NW. (8<sup>TH</sup> FL.)  
WASHINGTON, DC 20036  
Tel.: (202) 263-4152 Fax: (202) 331-8330  
e-mail: xtcgc@verizon.net

October 27, 2009

VIA ELECTRONIC FILING

Hon. Anne K. Quinlan  
Acting Secretary  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

ENTERED  
Office of Proceedings

OCT 27 2009

Public Record

Dear Secretary Quinlan:

Attached for filing in STB Docket No. AB-1051X, Gloster Southern Railroad Company LLC—Discontinuance of Service Exemption—in Amite and Wilkinson Counties, MS, and East Feliciana County, LA, is the verified Notice of Exempt Discontinuance of Gloster Southern Railroad Company LLC.

The \$3,700 filing fee was paid by charging this firm's Visa card, the number of which was facsimile transmitted to the Board earlier this morning.

If you have any question concerning this filing or if I otherwise can be of assistance, please get back to me.

Sincerely yours,

  
Fritz R. Kahn

att.

FILED  
OCT 27 2009  
SURFACE  
TRANSPORTATION BOARD

FEE RECEIVED  
OCT 27 2009  
SURFACE  
TRANSPORTATION BOARD

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-1051X**

**GLOSTER SOUTHERN RAILROAD COMPANY LLC  
--DISCONTINUANCE OF SERVICE EXEMPTION--  
IN AMITE AND WILKINSON COUNTIES, MS, AND  
EAST FELICIANA COUNTY, LA**

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**NOTICE OF EXEMPT DISCONTINUANCE  
OF  
GLOSTER SOUTHERN RAILROAD COMPANY LLC**

**Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1920 N Street, NW (8th fl.)  
Washington, DC 20036  
Tel.: (202) 263-4152**

**Attorney for**

**GLOSTER SOUTHERN RAILROAD COMPANY LLC**

**Dated: October 27, 2009**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC**

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**STB Docket No. AB-1051X**

**GLOSTER SOUTHERN RAILROAD COMPANY LLC  
--DISCONTINUANCE OF SERVICE EXEMPTION--  
IN AMITE AND WILKINSON COUNTIES, MS, AND  
EAST FELICIANA COUNTY, LA**

---

**NOTICE OF EXEMPT DISCONTINUANCE  
OF  
GLOSTER SOUTHERN RAILROAD COMPANY LLC**

Gloster Southern Railroad Company LLC ("GLSR"), a Class III railroad subject to this Board's jurisdiction, pursuant to 49 U.S.C. 10903 and 49 C.F.R. 1152.50, states, as follows:

1. The railroad line over which service is proposed to be discontinued extends between Milepost 0.0 at Slaughter, LA, and Milepost 32.7 at Gloster, MS, a distance of 32.7 miles in East Feliciana County, LA, and Wilkinson and Amite Counties, MS.
2. The anticipated consummation date is January 1, 2010.
3. GLSR, by the attached Verification of its Vice President, Michael J. Van Wagenen, certifies that no local traffic has moved over the railroad line for at least two years' time, and any overhead traffic on the line can be rerouted over other lines.
4. GLVR, by the attached Verification of its Vice President, Michael J. Van Wagenen, further certifies that no formal complaint by a user of rail service on the railroad line (or a State or local government entity acting on behalf of such user)

regarding cessation of service over the line either is pending before the Board or any U.S. District Court or has been decided in favor of a user within the two year period.

5. The exact name of the entity seeking the discontinuance authority is Gloster Southern Railroad Company LLC.

6. GLSR is a Class III rail carrier subject Board's jurisdiction pursuant to Subtitle IV of Title 49 of the U.S. Code.

7. GLSR seeks the Board's authorization to discontinue rendering service over the subject line.

8. A map of the subject line is attached as Exhibit A.

9. The representative of GLSR to whom correspondence should be addressed is:

Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1920 N Street, NW (8th fl.)  
Washington, DC 20036  
Tel.: (202) 263-4152

10. The United States Postal Zip Codes traversed by the railroad line are 70777, 70730, 70761, 39631 and 39638.

11. Since this is a proposed discontinuance, trail use/rail banking and public use conditions would be inappropriate.<sup>1</sup> Offers to subsidize continued service on the line for one year's time may be filed pursuant to 49 C.F.R. 1152.27.

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<sup>1</sup> See, STB Docket No. AB-1042X, R.J. Corman Railroad Company/Tennessee Terminal, LLC—Discontinuance of Service Exemption—in Shelby County, TN, served September 16, 2009; STB Docket No. AB-286 (Sub-No. 5X), The New York, Susquehanna and Western Railway Corporation—Discontinuance of Service Exemption—in Broome and Chenango Counties, NY, served August 29, 2008; STB Docket No. AB-290 (Sub-No. 307X), Norfolk Southern Railway Company—Discontinuance of Service Exemption—in St. Joseph and LaPorte Counties, IN, served June 18, 2008.

12. No employee of GLSR is expected to be adversely affected by the proposed discontinuance, but GLSR understands that Board's decision will be subject to the employee protective conditions of Oregon Short Line R. Co.--Abandonment--Goshen, 360 I.C.C. 91 (1979).

13. Since this is a discontinuance proposal, no environmental or historic report is required. See, footnote 1.

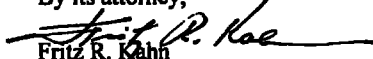
14. GLSR has given notice of the proposed discontinuance as required by 49 C.F.R. 1152.50(d) (1), and copies of the letters to the designated officials are attached as Exhibit B.

WHEREFORE, Gloster Southern Railroad Company LLC asks that the notice of exempt discontinuance be accepted and allowed to become effective.

Respectfully submitted,

GLOSTER SOUTHERN RAILROAD COMPANY LLC

By its attorney,

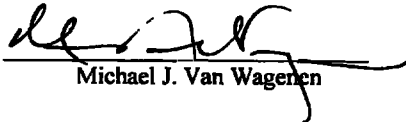
  
Fritz R. Kahn  
Fritz R. Kahn, P.C.  
1920 N Street, NW (8th fl.)  
Washington, DC 20036  
Tel.: (202) 263-4152

Dated: October 27, 2009

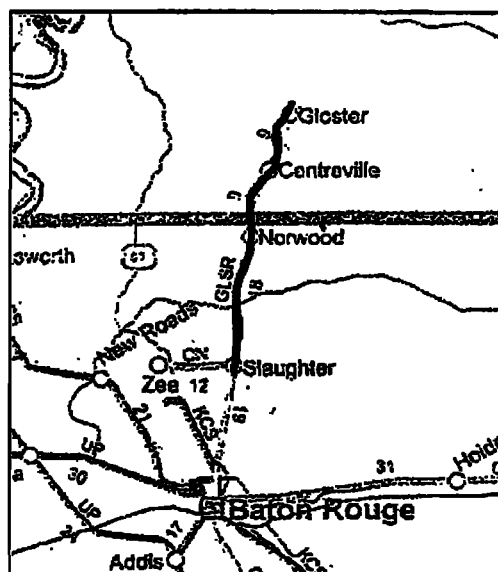
## VERIFICATION

I, Michael J. Van Wagenen, Vice President of Gloster Southern Railroad Company LLC., declare under penalty of perjury, under the laws of the United States of America, that I have read the foregoing Notice of Exempt Discontinuance and that its assertions are true and correct to the best of my knowledge, information and belief. No local traffic has moved over the subject line for at least two years' time, and any overhead traffic on the line can be rerouted over other lines. Moreover, no formal complaint by a user of rail service on the subject line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the subject line is pending before the Board or any U.S. District Court or has been decided in favor of a user within the two year period. I further declare that I am qualified and authorized to submit this verification on behalf of Gloster Southern Railroad Company LLC. I know that willful misstatements or omission of material fact constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to five years and fines up to \$10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to \$2,000 or imprisonment up to five years for each offense.

Dated at Salt Lake City, Utah, this 20<sup>TH</sup> day of October 2009.

  
Michael J. Van Wagenen

## **EXHIBIT A**





**EXHIBIT B**

LAW OFFICES  
FRITZ R. KAHN, P.C.  
1920 N STREET, NW. (8TH FL.)  
WASHINGTON, DC 20036  
Tel.: (202) 263-4152 Fax: (202) 331-8330  
e-mail: xicgc@verizon.net

October 16, 2009

Mr. D. Thomas A. Ross, Assistant Director  
Recreation and Conservation  
National Park Service - Dept. of Interior  
1849 C Street, NW  
Washington, DC 20240-0001

Dear Mr. Ross:


Please be advised that on or about October 27, 2009, Gloster Southern Railroad Company LLC will file with the Surface Transportation Board its Notice of Exempt Discontinuance to secure the agency's authorization to discontinue service on its line of railroad extending between Milepost 0.0 in Slaughter, LA, and Milepost 32.7 in Gloster, MS, a distance of 32.7 miles in East Feliciana County, LA, and Wilkinson and Amite Counties, MS. The Notice will bear STB Docket No. AB-1051X.

The line traverses U.S. Postal Zip Codes 70777, 70730, 70761, 39631 and 39638.

Based on information in the possession of Gloster Southern Railroad Company LLC, the railroad line does not contain any federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

If you have any question concerning the foregoing, please get back to me.

Sincerely yours,

  
Fritz R. Kahn

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e-mail: xiccgc@verizon.net

October 16, 2009

MSDDC – Transp. Engineering Agency  
Attn.: SDTE-SA (Railroads for National Defense)  
709 Ward Drive, Bldg. 1990  
Scott AFB, IL 62225-5357

Dear Sir/Madam:

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Tel.: (202) 263-4152 Fax: (202) 331-8330  
e-mail: [xlccgc@venzont.net](mailto:xlccgc@venzont.net)

October 16, 2009

Ms. Abigail Kimbell  
Chief of the Forest Service  
U.S. Department of Agriculture  
201 14<sup>th</sup> Street, SW (Ste. 4NW)  
Washington, DC 20024

Dear Ms. Kimbell:

Please be advised that on or about October 27, 2009, Gloster Southern Railroad Company LLC will file with the Surface Transportation Board its Notice of Exempt Discontinuance to secure the agency's authorization to discontinue service on its line of railroad extending between Milepost 0.0 in Slaughter, LA, and Milepost 32.7 in Gloster, MS, a distance of 32.7 miles in East Feliciana County, LA, and Wilkinson and Amite Counties, MS. The Notice will bear STB Docket No. AB-1051X.

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e-mail: xiccgc@verizon.net

October 16, 2009

Mr. Wayne Brown  
Southern District  
Mississippi Transportation Commission  
401 N. West Street  
Jackson, MS 39201

Dear Mr. Brown:

Please be advised that on or about October 27, 2009, Gloster Southern Railroad Company LLC will file with the Surface Transportation Board its Notice of Exempt Discontinuance to secure the agency's authorization to discontinue service on its line of railroad extending between Milepost 0.0 in Slaughter, LA, and Milepost 32.7 in Gloster, MS, a distance of 32.7 miles in East Feliciana County, LA, and Wilkinson and Amite Counties, MS. The Notice will bear STB Docket No. AB-1051X.

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e-mail: xlcgc@verizon.net

October 16, 2009

Mr. Jack A. "Jay" Blossman, Jr., Chmn.  
Louisiana Public Service Commission  
P. O. Box 91154  
Baton Rouge, LA 70821-9154

Dear Mr. Blossman:

Please be advised that on or about October 27, 2009, Gloster Southern Railroad Company LLC will file with the Surface Transportation Board its Notice of Exempt Discontinuance to secure the agency's authorization to discontinue service on its line of railroad extending between Milepost 0.0 in Slaughter, LA, and Milepost 32.7 in Gloster, MS, a distance of 32.7 miles in East Feliciana County, LA, and Wilkinson and Amite Counties, MS. The Notice will bear STB Docket No. AB-1051X.

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